

IN THE SUPREME COURT OF THE STATE OF MONTANA

AF 09-0688

IN RE THE RULES OF PROFESSIONAL
CONDUCTO R D E R

The Montana Justice Foundation Board (MJF) and the State Bar of Montana Board of Trustees have jointly petitioned the Court to revise Rule 1.18(e)(1) of the Montana Rules of Professional Conduct regarding noncompliance with annual trust account and IOLTA reporting requirements. Similar to the rules regarding failure to submit proof of CLE compliance, the proposed revision would give the State Bar of Montana authority to suspend Montana attorneys from the practice of law if they fail to file annual IOLTA certification, as reflected in the sentence underlined below:

Filings . . . Failure to provide the certification may result in suspension from the practice of law in this state until the lawyer complies with the requirements of this rule. Such suspension will be effected pursuant to the Rules of the State Bar of Montana.

IT IS ORDERED that interested persons are invited to file comments on the above proposed revision to Rule 1.8(e)(1) of the Montana Rules of Professional Conduct.. All comments must be filed in writing with the Clerk of this Court within 45 days of the date of this Order.

This Order will be published on the Court's website. The Clerk is directed to provide copies of this Order to MJF and the State Bar of Montana, with the request that notice of the Order and the comment period be provided on the State Bar's website and in the next available issue of *The Montana Lawyer*.

Dated this 14th day of September, 2016.

For the Court,

/S/ MIKE McGRATH